

House File 793 - Introduced

HOUSE FILE _____
BY COMMITTEE ON LABOR

(SUCCESSOR TO HSB 248)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting employers from infringing on employees'
2 political activities after work hours and if not using company
3 resources.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2446HV 83
6 ak/nh/5

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1 1 Section 1. NEW SECTION. 730.6 EMPLOYEE POLITICAL
1 2 EXPRESSION RIGHTS.
1 3 1. An employer shall not discharge, discipline, sanction,
1 4 or otherwise penalize, or threaten to discharge, discipline,
1 5 sanction, or otherwise penalize an employee because the
1 6 employee participates in political activity or political
1 7 expression if the political activity or political expression
1 8 takes place outside of work hours, off of the employer's
1 9 property, and does not involve the use of the employer's
1 10 property, or for political signage on an employee's personal
1 11 vehicle.
1 12 2. Subsection 1 does not apply to any provision of law or
1 13 an employment policy that prohibits employees from
1 14 participating in political activity or political expression,
1 15 including political signage on a personal vehicle, due to the
1 16 nature or scope of their employment.
1 17 3. An employee alleging to be aggrieved by a violation of
1 18 this section may file a civil action within ninety days after
1 19 the date of the alleged violation in a court of competent
1 20 jurisdiction in the county where the violation is alleged to
1 21 have occurred or where the employer has its principal office.
1 22 The court may award a prevailing employee all appropriate
1 23 relief, including reinstatement, back pay, and reestablishment
1 24 of any employee benefits to which the employee would otherwise
1 25 have been eligible if such violation had not occurred. The
1 26 court shall award a prevailing employee treble damages in an
1 27 amount up to three times the amount of all other damages
1 28 awarded, reasonable attorney fees, and costs.
1 29 4. This section shall not be construed to limit an
1 30 employee's right to bring any other action allowed by law
1 31 against an employer for wrongful termination or to diminish or
1 32 impair the rights of a person under a collective bargaining
1 33 agreement.

EXPLANATION

1 34 This bill prohibits employers from discharging,
2 1 disciplining, sanctioning, or otherwise penalizing or
2 2 threatening to do any of these acts because an employee
2 3 participates in political activity or political expression if
2 4 the political activity or political expression takes place
2 5 outside of work hours, off of the employer's property, and
2 6 does not involve the use of the employer's property, or for
2 7 political signage on an employee's personal vehicle. The bill
2 8 does not apply to any provision of law or employment policy
2 9 that prohibits employees from participating in political
2 10 activity or political expression, including political signage
2 11 on a personal vehicle, due to the nature or scope of their
2 12 employment.
2 13 An employee who has been aggrieved by a violation by an
2 14 employer may file a civil action against the employer for back
2 15 pay, reinstatement, reestablishment of benefits, treble
2 16 damages up to three times the amount of all other damages
2 17 awarded, attorney fees, and costs.

2 18 LSB 2446HV 83
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